

TOPIC	SUBTOPIC	SUMMARY OF EPA'S RATIONALE FOR 2015 DECISIONS	LEGAL CONSIDERATIONS FOR DEFENDING DECISION	SUMMARY OF POTENTIAL RATIONALE FOR CHANGING COURSE	LEGAL CONSIDERATIONS FOR CHANGING COURSE
Sustenance Fishing Designated Use	Is there a sustenance fishing (SF) right in Indian Country?	Ex.5 ACP / AWP / DPP			

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Sustenance Fishing Designated Use (cont'd)	To the extent that there is a SF right, does that right include a water quality component?	Ex.5 ACP / AWP / DPP			

Ex.5 ACP / AWP / DPP

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Sustenance Fishing Designated Use (cont'd)	Does the SF right in MIA pertaining to the Southern Tribes' reservations amount to a designated use under the CWA?	<div>Ex.5 ACP / AWP / DPP</div>			
	Was it reasonable for EPA to harmonize the CWA with the SF rights by interpreting the State's general fishing designated use to include SF?				

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Effect of Pre-2015 EPA Approvals of Maine's WQS for Waters in Indian Lands	Did prior EPA approvals of Maine WQS apply to Indian country (IC), such that EPA was not in a position to approve the fishing DU with a new interpretation of SF for IC waters, and to disapprove HHC in IC waters in 2015?	Ex.5 ACP / AWP / DPP			

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Fish Consumption Rate (FCR)	Must tribal sustenance fishers be the target general population for setting the FCR?	Ex.5 ACP / AWP / DPP			

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Fish Consumption Rate (cont'd)	Must the FCR reasonably represent current unsuppressed fish consumption?	<div>Ex.5 ACP / AWP / DPP</div>			
	What are the best available scientific data for setting FCR for sustenance fishers?				

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Geographic Scope of WQS.	Does EPA's rule provide sufficient clarity on where the WQS apply?	Ex.5 ACP / AWP / DPP			